

AUSA: Stephen Carr

Telephone: (313) 226-9100

AO 91 (Rev. 11/11) Criminal Complaint

Task Force Officer: Robert A. Philage

Telephone: (810) 985-9541

UNITED STATES DISTRICT COURT
for the
Eastern District of Michigan

United States of America

v.

Chunlin WANG

Case No. 2:24-mj-30253

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of June 30, 2024 in the county of St. Clair in the
Eastern District of Michigan, the defendant(s) violated:

*Code Section**Offense Description*

18 U.S.C. § 1029(a)(3)

Knowingly and with intent to defraud possesses fifteen (15) or more devices
which are counterfeit or unauthorized access devices.

This criminal complaint is based on these facts:

☒ Continued on the attached sheet.

Sworn to before me and signed in my presence
and/or by reliable electronic means.

Date: July 3, 2024City and state: Detroit, Michigan*Complainant's signature*Robert Philage, Task Force Officer (CBP)*Printed name and title**Judge's signature*Hon. Anthony P. Patti, U.S. Magistrate Judge*Printed name and title*

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Officer Robert A. PHILAGE, being first duly sworn, hereby states as follows:

INTRODUCTION

1. I have been an Officer with U.S. Customs and Border Protection for the past twenty years. I am currently assigned to Homeland Security Investigations (HSI) Border Enforcement Security Task Force (BEST) as a Task Force Officer. Based on my training and experience and conversations with other law enforcement personnel, including my own participation in cross border narcotics, bulk currency, alien and firearms investigations, I am familiar with the methods of operation utilized by smuggling organizations. I am also familiar with Federal Law and particularly those laws relating to international smuggling.

2. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents officers and witnesses. This affidavit is intended to show merely that there is probable cause for the

requested criminal complaint and does not set forth all my knowledge about this matter.

SUMMARY OF PROBABLE CAUSE

3. On June 30, 2024, Chunlin WANG attempted to enter the United States from Canada at the Bluewater Bridge, Port Huron, Michigan. WANG was driving a vehicle with a California plate and used a translator app on his phone to explain to Customs and Border Patrol Officer Ortega that he had mistakenly entered Canada. CBPO Ortega asked about WANG's legal status in the United States, and WANG replied that his lawyer was working on his status. CBPO Ortega referred WANG and the vehicle to the secondary inspection area for further verification of his status.

4. CBP Officers discovered in secondary inspection that WANG had entered the U.S. as a political asylee in November 2023 and has a pending Immigration court hearing in August 2024. WANG also possessed a valid New York State driver's license showing residence in Flushing, New York.

5. During the inspection, officers discovered over 1,500 gift cards from various companies, including Apple gift cards, in five canvas Walmart bags. For around 50 of the cards, the scratch off code on the back of the card had been cut and/or mutilated.

6. Officers also discovered a translucent grooming style bag containing various items, such as: various precision razor blades, tweezers, scissors, knives, exacto knife, metal scraper, blade sharpener, super glue, glue sticks, white out dispensers and small glass containers. Officers also located a flat iron (for hair) and a bottle of isopropyl alcohol in a small backpack in the vehicle.

7. The California plated vehicle WANG was driving has been located by camera at numerous large retail stores throughout the country.

8. When the officers questioned WANG about the gift cards and various tools he had in the vehicle, WANG asked to speak to his family and a lawyer.

9. 18 U.S.C. § 1029(a)(3) makes it a crime to “knowingly and with intent to defraud possesses fifteen or more devices which are counterfeit or unauthorized access devices.”

10. 18 U.S.C. 1029(e)(1) defines an “access device” as “any card, plate, code, account number, electronic serial number, mobile identification number, personal identification number, or other telecommunication service, equipment, or instrument identifier, or other means of account access that can be used, alone or in conjunction with another access device, to obtain money, goods or services, or any other thing of value, or that can be used to initiate a transfer of funds (other than a transfer originated solely by paper instrument).”

11. 18 U.S.C. 1029(e)(2) defines a “counterfeit access device” as any access device that is “counterfeit, fictitious, altered, or forged, or an identifiable component of an access device or a counterfeit access device.” Many of the recovered cards had been already altered and the tools to conduct further alteration were located near the remaining gift cards.

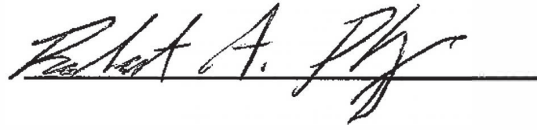
12. 18 U.S.C. 1029(e)(3) defines an “unauthorized access device” to mean “any access device that is lost, stolen, expired, revoked, canceled, or obtained with intent to defraud.”

13. Your affiant is aware of a common scheme where a fraudster will take unpurchased gift cards from a retailer, scratch off the code associated with the card, and register the card online. The fraudster will then be able to access the card's balance online and receive notifications when funds are added.

14. The fraudster will then re-package the cards and recover the codes to make the cards appear unaltered. Once the cards are re-packaged, the fraudster will return them to the shelves of the retailer.

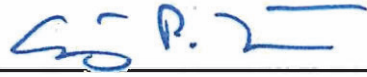
15. When the cards are purchased by unsuspecting consumers, the funds that the consumer puts on the card are accessible by the fraudster using the card number and associated code. The fraudster will then make purchases with the number and code, thereby defrauding and stealing from the consumer.

16. Based on the information above, I believe that there is probable cause to believe that Chunlin WANG violated Title 18 U.S.C. 1029(a)(3).

A handwritten signature in black ink, appearing to read "Robert A. Philage", written over a horizontal line.

Robert A. Philage
Task Force Officer
U.S. Customs &
Border Protection

Sworn to before me and signed in my
presence and/or by reliable electronic means

A handwritten signature in blue ink, appearing to read "Anthony P. Patti", written over a horizontal line.

HON. ANTHONY P. PATTI
UNITED STATES MAGISTRATE JUDGE

Date: July 3, 2024